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DIVERSE COMMUNICATIONS, INC.)
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Application of Diverse Communications, Inc.)
for Designation as an Eligible Telecommuni-)
cations Carrier Under 47 U.S.C. §214(e)(2) of)
the Telecommunications Act of 1996 for its)
Service Area Consisting of its Alpha Exchange)

CHIEF CLERK'S OFFICE

02-0118

**VERIFIED APPLICATION FOR DESIGNATION AS
AN ELIGIBLE TELECOMMUNICATIONS CARRIER**

Applicant, Diverse Communications, Inc. ("Diverse"), through its attorney, Gary L. Smith, of Loewenstein, Hagen, Oehlert & Smith, P.C., pursuant to the Telecommunications Act of 1996, 47 U.S.C. §214(e)(2) (the "Act") and the rules of the Federal Communications Commission, 47 C.F.R. §54.201 (the "FCC's rules"), hereby requests that the Illinois Commerce Commission (the "Commission") designate Diverse Communications, Inc. as an eligible telecommunications carrier for its service area consisting of its Alpha Exchange. In support of its request, Diverse states as follows:

1. Diverse is a facilities-based local exchange telecommunications service provider and reseller of local exchange service. Diverse received a certificate of service authority to provide local exchange service from this Commission in Docket No. 00-0324 on August 15, 2000, and as such is subject to regulation by the Illinois Commerce Commission. The filing of this Verified Application and the entry of an Order by the Commission designated Diverse Communications, Inc. as an "Eligible Telecommunications Carrier" and is in the public interest in light of the requirements of the Act and the FCC's rules.

2. Diverse is a "rural telephone company" within the meaning of §153(47) of the Act. The Alpha Exchange constitutes its study area and, therefore, its "service area" within the meaning of §214(e)(2) of the Act and the FCC's rules.

3. Diverse needs to be designated by this Commission as an "eligible telecommunications carrier" in order to receive specific Federal Universal Service support. Under the Act, 47 U.S.C. §214(e), the Commission is authorized to designate as an eligible telecommunications carrier a common carrier that provides and advertises the provision of the services designated for Universal Service support. As evidenced by this Verified Application and the Verified Statement provided with this Application, Diverse provides all of the elements of Universal Service except for certain elements of toll limitation discussed below.

4. In compliance with the Act, 47 U.S.C. §254(c) and, as defined by its rules, 47 C.F.R. §54.101(a), the FCC designated the following services to be supported by Universal Service:

- (1) Voice grade access to the public switched network;
- (2) Local usage,
- (3) Dual tone multi-frequency (touch tone) or its functional equivalent;
- (4) Single-party service or its functional equivalent;
- (5) Access to emergency services;
- (6) Access to operator services;
- (7) Access to interexchange services;
- (8) Access to directory assistance; and
- (9) Toll limitation for qualifying low-income consumers.

5. With regard to toll limitation, Diverse will provide "toll blocking" as defined by the FCC's rules, under which a customer may choose to have all toll number calling blocked from the customer's telephone, including intraLATA toll calls, 1+ toll calls and 0+

toll calls. This service will allow continued access to 1-800 numbers, 1-888 numbers and other toll-free area codes (even though calls to or through some of those numbers may allow customers to incur toll charges). This service will allow continued access to 0-(live, local) operator services. It will also allow continued access to 911 or E911 services available within Diverse's serving area.

6. Diverse does not presently provide "toll control" as that term is defined in the FCC rules and hereby seeks a three-year waiver of the requirement that it provide toll control. In support of its waiver request, Diverse states that it is not aware that any "telecommunications carriers are deploying toll limitation services in public telecommunications networks." Diverse does not bill for all of the intraLATA or interLATA toll service providers doing business in its serving area and has no method of limiting toll acquired from service providers for which it does not bill. Diverse does not now collect toll usage information in "real time" and, moreover, since it cannot monitor the numerous different toll rates that could apply to various types of toll usage, it has no reliable way of correlating toll usage to a customer's requested toll limit. Diverse will endeavor to make itself aware of any reliable method of toll control that becomes available within the telecommunications industry.

7. Diverse will comply with rules and requirements for advertising the availability of services designated for support and the charges therefor. Diverse will also comply with this Commission's rules related to Universal Service support for low-income consumers as set forth in the Commission's rules.

8. Diverse commits, that it will not disconnect Lifeline service for non-payment of toll charges and, will not require a service deposit in order to initiate Lifeline service if the low-income consumer voluntarily elects toll blocking where toll blocking is available.

WHEREFORE, Diverse respectfully requests an Order from the Commission declaring that:

A. Diverse Communications, Inc. is a common carrier and a rural telephone company within the meaning of the Federal Telecommunications Act of 1996, 47 U.S.C. §153(47);

B. The Alpha Exchange is an appropriate service area for determining Universal Service support mechanisms and obligations within the meaning of the Federal Telecommunications Act of 1996, 47 U.S.C. §214(e)(2);

C. Diverse Communications, Inc. is granted a three-year waiver from having to provide toll control services.

D. Pursuant to the Federal Telecommunications Act of 1996, 47 U.S.C. §254(e)(1)(A), and other than those services for which this Commission has granted a waiver, Diverse Communications, Inc. is offering the services in the Alpha Exchange that are supported by Federal Universal Service support mechanisms under §254(c) either using its own facilities or a combination of its own facilities and resale of another carrier's services (including the services offered by another eligible telecommunications carrier);

E. Diverse Communications, Inc. will comply with the Commission's rules and the FCC's rules and to the extent necessary shall advertise the availability of eligible services and provide information regarding Universal Service support for low income consumers;

F. Diverse Communications, Inc. will not disconnect Lifeline service for non-payment of toll charges pursuant to FCC rules and will not require a service deposit in order to initiate Lifeline service if the low income consumer voluntarily elects toll blocking where toll blocking is available;

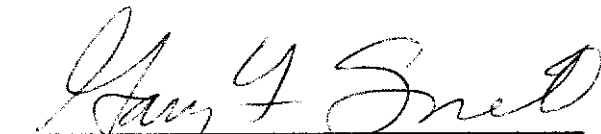
G. Pursuant to the Federal Telecommunications Act of 1996, 47 U.S.C. §214, Diverse Communications, Inc. is hereby designated as the eligible telecommunication carrier for its entire service area consisting of the Alpha Exchange; and

H. Pursuant to the Federal Telecommunications Act of 1996, 47 U.S.C. §254(e), Diverse Communications, Inc. is eligible to receive specific federal Universal Service support and shall remain so eligible until further order of this Commission.

Dated this 6 day of February, 2002.

Respectfully submitted,

DIVERSE COMMUNICATIONS, INC.

By: 
Gary L. Smith

STATE OF ILLINOIS)
) SS
COUNTY OF HENRY)

VERIFICATION

GEORGE WIRT, being first duly sworn, deposes and states that he is the General Manager of Diverse Communications, Inc., that he has read the foregoing Verified Application for Designation as an Eligible Telecommunications Carrier and knows the contents thereof to be, and that the same are, true to the best of his knowledge, information and belief.

George Wirt
George Wirt

Subscribed and sworn to before me, a notary public, this 31 day of January, 2002.

Karen L. Goff
Notary Public

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